



Adopted	Rejected
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COMMITTEE REPORT

YES:	10
NO:	0

MR. SPEAKER:

Your Committee on **Judiciary**, to which was referred House Bill 1456, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Delete Amendment 2 adopted on January 20, 2015.
- 2 Page 2, between lines 33 and 34, begin a new paragraph and insert:
- 3 "SECTION 2. IC 10-16-6-13 IS ADDED TO THE INDIANA CODE
- 4 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2015]: **Sec. 13. The Indiana National Guard shall:**
- 6 (1) **provide a list of individuals on its Internet web site that**
- 7 **can be searched or checked to determine whether an**
- 8 **individual is a member of the Indiana National Guard**
- 9 **ordered to state active duty for at least thirty (30) consecutive**
- 10 **days as required by IC 10-16-7-23(c); and**
- 11 (2) **provide a list of the rights a servicemember or a**
- 12 **servicemember's dependent has under the state and federal**
- 13 **servicemembers civil relief acts."**
- 14 Page 3, between lines 2 and 3, begin a new paragraph and insert:
- 15 **"(c) With respect to a member of the Indiana National Guard**

ordered to state active duty, a person is not subject to remedies and penalties under this section or IC 10-16-20 for failure to comply with the federal Servicemembers Civil Relief Act, 50 U.S.C. App. 501 et seq., unless:

- (1) the member provides documentation to the person that the member is a member of the Indiana National Guard ordered to state active duty for at least thirty (30) consecutive days; or
- (2) the Indiana National Guard provides a list on its Internet web site that can be searched or checked to determine whether an individual is a member of the Indiana National Guard ordered to state active duty for at least thirty (30) consecutive days."

Page 3, line 3, strike "(c)" and insert "(d)".

Page 3, line 7, strike "(d)" and insert "(e)".

Page 3, delete lines 18 through 30.

Page 3, line 31, delete "(4)" and insert "(1)".

Page 3, line 38, delete ",".

Page 3, run in lines 38 through 39.

Page 3, line 42, after "of the" insert "Indiana".

Page 4, line 1, delete "active" and insert "active:

(i)".

Page 4, line 5, delete "," and insert "; or

(ii) duty as defined by IC 10-16-7-23(a) for a period of more than thirty (30) consecutive days;".

Page 4, delete lines 9 through 11.

Page 4, line 12, delete "(E)" and insert "(D)".

Page 4, delete lines 15 through 39, begin a new line block indented and insert:

"(2) "Servicemember" means an individual engaged in military service."

Page 4, line 42, delete "501" and insert "521 through 527)".

Page 5, delete lines 1 through 20.

Page 5, line 24, delete "501 et seq.)," and insert "531 through 538),".

Page 5, line 41, delete "." and insert "posted on the Indiana National Guard's Internet web site as required by IC 10-16-6-13."

Page 6, line 2, delete "charge, but any tax or" and insert "charge.

(e) Any tax or".

- 1 Page 6, line 4, delete "or unperformed".
- 2 Page 6, line 5, delete "or performed".
- 3 Page 6, line 7, delete "covered".
- 4 Page 6, line 7, after "contract" insert "**described in subsection (b)**
- 5 **that was terminated under this chapter**".
- 6 Page 6, line 7, after "period" insert "**immediately following when**
- 7 **the servicemember has returned from service,**".
- 8 Page 6, delete line 8.
- 9 Page 6, line 9, delete "involving relocation,".
- 10 Page 6, line 9, delete "a charge" and insert "**any charges or services**
- 11 **fees,**".
- 12 Page 6, line 10, delete "or reinstating service fee,".
- 13 Page 6, line 14, delete "under this section," and insert "**described in**
- 14 **subsection (b),**".
- 15 Page 6, line 15, delete "any fee or" and insert "**all fees paid for**
- 16 **services that extend past the termination date of the contract.**".
- 17 Page 6, delete lines 16 through 18.
- 18 Page 6, line 19, after "chapter" insert "**or IC 10-16-7-23**".
- 19 Page 6, line 19, after "brought" insert "**in any court with**
- 20 **jurisdiction**".
- 21 Page 6, line 20, after "that" insert "**knowingly or intentionally**".
- 22 Page 6, line 22, delete "." and insert "**under the federal**
- 23 **Servicemembers Civil Relief Act.**".
- 24 Page 6, line 26, reset in roman "513".
- 25 Page 6, line 26, delete "103".
- 26 Renumber all SECTIONS consecutively.
(Reference is to HB 1456 as introduced.)

and when so amended that said bill do pass.

Representative Steuerwald